

**THE SECOND CHECK HAS BEEN
COMPLETED. NO LATE-FILED
DOCUMENTS WILL BE REVIEWED
PRIOR TO THE HEARING**

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI **PUBLIC GUARDIAN**

DATE: 02/07/05 TIME: 9:00 DEPT: S5

CASE #: SC SS01946

CASE NAME: MTR RE CYNTHIA HOSKINS

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
CYNTHIA HOSKINS	(CEP)...

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
(2nd Account is due)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No Accounting filed yet.

RECOMMENDATION:
Court must send written notice to conservator and attorney of record directing that the account be filed. Set hearing within 60 days. Any failure to file the account will then constitute contempt and punishable as set forth in PC 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:00 DEPT: S5

CASE #: SC SS02715

CASE NAME: MTR RE ANN L CARR

HEARING:

Petition for ALLOWANCE OF COMPENSATION TO CONSERVATOR AND TO HIS ATTORNEY

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANN L CARR	(CEP)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Allowance of Compensation to Conservator and to his Attorney

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioner is requesting compensation of \$350.00 for services rendered in establishing the conservatorship. JTD
2. Attorney is requesting fees of \$40.00 in representing petitioner in the conservatorship. JTD

RECOMMENDATION:

RFA subject to court's determination of fees.

San Bernardino Superior Court
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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:00 DEPT: S5

CASE #: SC SS3485

CASE NAME: IN THE MATTER OF KIMBERLY ANN POOL

HEARING:
Petition for Authority to Consent to Medical Treatment.

COUNSEL:
KIMBERLY ANN POOL (CTP)...
PUBLIC GUARDIAN (CP)...COUNTY COUNSEL

GENERAL INFORMATION:
This case is set for hearing on Petition for Authority to Consent to Medical Treatment

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner is seeking authority for medical treatment relating to dental work.
2. Court must appoint counsel per PC 1471

RECOMMENDATION:
Court to appoint counsel for conservatee.

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:00 DEPT: S5

CASE #: SLCSS02414

CASE NAME: MTR OF LARRY SPENCER

HEARING:

Report Sale and Petition for Order Confirming Sale of Real
Property.

COUNSEL:

LARRY SPENCER
PUBLIC GUARDIAN

(CEP)...HARTNELL HORSPOOL & FOX
(CPE)...COUNTY COUNSEL

GENERAL INFORMATION:

This case is set for hearing on Report of Sale and Petition for Order Confirming Sale
Continued from 1/3/05 at request of counsel.

Address	Undivided ½ interest in improved real property at: 61455 Adobe Drive, Joshua Tree, CA APN: 0602-193-03 Is this conservatee's personal residence? If so, sale needs to comply with PC 2540. File verified Supplement.
Appraised value	\$70,000 (1/2: \$35,000) per Reappraisal for Sale
Sale price	\$88,000
First overbid	\$92,900
Deposit	\$8,800
Commission	4%, or \$3,520 payable to Windermere Real estate
Additional bond	None.
Reason for sale	To pay debts and expenses of conservatee
Exposure to market	Published and posted at courthouse and PG office.
Notice	Mailed service. Ok.

San Bernardino Superior Court
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HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:00 DEPT: S5

CASE #: SLCSS4221

CASE NAME: MTR OF SHIRLEY MC DONALD

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
SHIRLEY MCDONALD (CEP)...HARTNELL HORSPPOOL & FOX

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
(3rd Account is due)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No accounting filed.

RECOMMENDATION:
Court must send written notice to conservator and attorney of record directing that the account be filed. Set hearing within 60 days. Any failure to file the account will then constitute contempt and punishable as set forth in PC 2620.2

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI **GUARDIANSHIPS**

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS00376

CASE NAME: IN THE MATTER OF SUMMER AND MARSHALL BORTS

HEARING:

FOURTH Account and Report of SHAWNA L. BROWN and Petition for allowance of fees filed.

COUNSEL:

MARSHALL BORTS	(MIN)...
SUMMER BORTS	(MIN)...
SHAWNA L. BROWN	(GE)...HARTNELL HORSPPOOL & FOX

GENERAL INFORMATION:

This case is set for hearing on 4th Account
Accounting period: 10/29/03 – 10/28/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Verification is a facsimile. Need original verification.
2. Attorney requests fees of \$1,757.50. Billed at various rates for various attorneys (\$225-\$275/hour) 6.5 hours and \$75/hour for paralegal time (3.3 hours). Itemized. Attorney and paralegal charge for preparing an ex parte application to amend order and an amended order due to a typographical error on the blocked account numbers. The total time charged to correct this error is 1.6 in paralegal time, or \$120. Question whether this amount should be reduced from the total fee requested?
3. Guardian requests compensation to be reserved.
4. Petitioner alleges that during this accounting period, the assets on hand were distributed to Summer Borts who is now majority per the Order Settling 3rd Account. The sum of \$5,897.55 was distributed on 1/15/04. Is there a receipt for the distribution? File receipt.
5. Petitioner further alleges this accounting includes receipts and disbursements that were marshaled by the guardian prior to the distribution to Summer Borts. Question whether this should be a 'final' account? What additional administration needs to be completed? File verified supplement.
6. Petitioner requests to unblock account no. "372-007876-9" to pay attorney's fees. However, the statement submitted for the 4th account is for account

no. "372-007875-1". (Account #372-007876-9 is also noted on the assets on hand schedule). Does petitioner need to correct this account number? File verified supplement.

RECOMMENDATION:

File verified supplement and receipt for distribution to Summer Borts. If this is not a final accounting, Court should set review date for final accounting for 60 days.

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HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS00393

CASE NAME: MATTER OF BRITTANY L CONTRERAS ET AL

HEARING:
Petition for Termination of Guardianship

COUNSEL:

DAYLN R CONTRERAS JR (MIN)...
BRITTANY L CONTRERAS (MIN)...
ANN EPPS (GP)...PRO/PER
GERALD A TERRY (TP)...PRO/PER
TARESA T TERRY (PRO/PER)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Petition for Termination of Guardianship, filed by mother.
Minors 14 and 11

Continued from 8/16/04 for Court Investigator's report and mother to have reasonable
visitation

**Last continued from 10/25/04. Court orders mother to have visitation with minor
children every other weekend from Fridays at 6:00 p.m. to Saturday at 6:00 p.m.
Nothing new filed.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Guardianship issued in 1994 because mother was incarcerated for killing the children's father. It appears mother was only recently released from prison (within the last six months). It is possible that the petition for termination is premature considering the length of the guardianship (almost the whole lives of the children) and the difficult circumstances mother will probably encounter after being in prison for so long. Court may wish to consider supervised visitation at this time.
2. Opposition filed to petition for termination by guardian (Ann Epps).

3. Still need proof of mailed service on oldest minor (Brittany) and on paternal grandparents.
4. Court has required that guardian be personally served. File proof of personal service. Note: guardian appeared at last hearing via Attorney Peter Gold.
5. The CI report states that because of the mother's recent release from prison after serving many years, her educational accomplishments in prison and her ability to secure an apartment does not demonstrate a sufficient change in circumstances to justify terminating the guardianship. In addition, there are allegations that mother allowed the minor (Dalyn) 13, drive a vehicle from the mother's residence to the guardian's residence while the mother and a baby were in the vehicle. The CI report recommends the termination of the guardianship be denied. The CI further recommends that the mother be allowed to have unsupervised visits every other weekend from Friday evening to Saturday afternoon with the minors and that mother complete parenting classes prior to having increased unsupervised visitations. Also, that the guardian and mother treat each other with mutual respect and not make derogatory remarks about the other in the minors' presence.

RECOMMENDATION:

Still need notice.

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HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS01632

CASE NAME: IN THE MATTER OF WESLEY J HINCKLEY

HEARING:
Accounting Review

COUNSEL:
WESLEY J HINCKLEY (MIN)...
SHERRY L. HINCKLEY-CABAONG (GUA)...PRO/PER
PUBLIC GUARDIAN (GE)...COUNTY COUNSEL
SANDRA KNIGHT (RES)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION: This matter set for hearing on accounting review. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting has not been filed. Clerk has given notice.

RECOMMENDATION: When an accounting is not filed as required, the court shall cause notice to be given to conservator or guardian and attorney. The court shall set the accounting for hearing within 60 days. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr.C. § 2620.2.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS02272

CASE NAME: MTR OF SUMMER JULIET CRUZ ET AL

HEARING:
Petition for Appointment of Guardian

COUNSEL:

SUMMER JULIET CRUZ	(MIN)...	LERCH STURMER LLP
BREZZY GALLEGOS	(GP)...	PRO/PER
ARIANA CRUZ	(MIN)...	
ALEXANDER CRUZ	(MIN)...	
ANTHONY CRUZ	(MIN)...	LENITA A SKORETZ
MARIE ANNETTE PATTON	(PG)...	BRENDA BALLEW-WARD
TABITHA BURGESS	(MOT)...	PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, person only, by paternal grandmother, Brezzy Gallegos (Petition #1), minors 6, 5, 3 & 9 months

Competing Petition for Appointment of Guardian, person only, by maternal grandmother, Marie Patton (Petition #2). Competing petition is over minors Ariana (5), Alexander (3) & Anthony (9 months)

Father, Alexander Cruz, and Mother, Christen Cruz, filed written objections to the guardianship by Brezzy Gallegos, alleging the temporary guardianship was obtained by fraud since they did not originally receive notice of the temporary guardianship proceedings.

Hearing on ex parte matters continued from 11/18/04. Court referred to Court Investigator for investigation and report. Court appointed Attorney Lenita Skoretz as counsel for minors. On 11/18/04, Court granted temporary guardianship to Marie Patton (maternal grandmother). Court previously ordered temporary guardianship to Brezzy Gallegos on

11/3/04. Court should terminate temporary orders as to Brezzy Gallegos as it was not previously done when Court granted temporary guardianship to Marie Patton on 11/18/04. Brezzy Gallegos currently has guardianship of Summer Cruz (6).

Court further ordered parents to drug tests ever two weeks. Visitation between paternal grandmother and minors to be arranged as recommended by minors' counsel. Parties are not to make any remarks regarding this case in the presence of minors. Minors' counsel to also make recommendation regarding minors' daycare arrangements.

Continued from 12/13/04 at request of CI. Still need CI report. CI was advised by Attorney Skoretz that she will be requesting a continuance of this matter until March, 2005. CI advises that CI will submit their report at the next Court hearing.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

Petition #1:

1. Need proof of mailed service to mother (1) Tabitha Burgess
3. Due Diligence Declaration filed as to MGM (Lesley Pullman) indicating no information through telephone directories. No information available through friends or relatives. Petitioner alleges MGM never worked and may be a transient due to drugs. JTD
4. Need CI report
5. Need report of counsel

Petition #2:

1. Father Alexander Cruz has signed nomination, waiver & consent.
2. Mother Christen Cruz has signed nomination, waiver & consent.
3. Need proof of mailed service to PGF (Elliott Cruz)
4. Need CI report
5. Need report of counsel

RECOMMENDATION:

Need notice (Petitions 1 & 2); CI report and report of counsel

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS02524

CASE NAME: MTR OF ADONTAEL LEELAND FEAST-FLEMING ETAL

HEARING:

Petition for Termination of Guardianship

COUNSEL:

CAROLYN FEAST (GP)...PRO/PER

VICTORIA ANN PATTON (MIN)...

UNBORN CHILD (MIN)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Termination of Guardianship, by mother, minors 6 & 4

Mother paroled from Chow Chilla (she has been there several years) into a sober living program and requests that her kids live with her there

Continued from 9-7-04. Minute order indicates that mother was recently released from state prison. Matter continued to allow mother to stabilize her situation and begin visitation.

Continued from 11/1/04. Petitioner to submit proof of service on maternal grandmother and matter referred to CI for investigation and report

Continued from 12/20/04 at request of CI.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Need to file notice of hearing and proof of service on guardian and maternal grandmother.
2. Court may wish to inquire about status of visitation from guardian.
3. **CI report filed recommending the guardianship not be terminated at this time. CI indicates that despite attempts to locate mother, the CI has been unable to locate an address and/or telephone number for mother and mother was not interviewed.**
4. **At last hearing, there was a question as to the identity of the person who appeared as the guardian. Court may wish to inquire of guardian to show proof of identity.**

RECOMMENDATION:

Need notice and then Court's discretion.

San Bernardino Superior Court
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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS03301

CASE NAME: MTR OF ALEXIS SULLIVAN ET AL

HEARING:
Petition for Termination of Guardianship

COUNSEL:

JACQUINA SULLIVAN	(GP)...PRO/PER
ALEXIS SULLIVAN	(MIN)...
EARON SULLIVAN	(MIN)...
EAON SULLIVAN	(FAT)...DAVID H HEISLER
DEEDEE SULLIVAN	(PRO/PER)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Petition for Termination of Guardianship, filed by Mother, Minors 7 (Alexis) and 3 (Earon). Opposition to Termination of Guardianship filed by guardian (Jacquina Sullivan) Guardianship established in 2001.

Continued from 11/8/04 & 1/3/05 at request of CI. Court orders parties to meet and confer regarding visitation.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. On 10/12/04, Mother requested temporary orders re: visitation with the children on weekends pending hearing on termination. Court found no emergency and set for hearing
2. Mother alleges that she can provide care for minors and further alleges that present guardian (Jacquina Sullivan) is alienating minors from Mother's visitations. Mother also raises concern over religious conflicts and alleges that present guardian does not believe in birthdays, holidays and blood transfusions for medical treatments, if necessary.

3. Opposition to Termination of Guardianship alleges mother has not shown up for visitations or communicated with the minors or the guardian for 14 months.
4. Proof of personal filed as to father and guardian.
5. Need proof of mailed service on CI, PGM, MGF & MGM.
6. Due diligence declaration filed as to PGF indicating efforts made with directory assistance, friends and relatives, former employers and/or last known addresses was unsuccessful. Relatives have not heard from PGF for many years. JTD
7. **CI report filed recommending the mother's petition for termination be denied at this time. The CI is troubled with the living conditions of mother's home and the 5 substantiated CPS referrals. CI does, however, recommend that mother be allowed unsupervised visitations on weekends for a few hours at a time, as long as the arrangement does not conflict with minors' father's visitations. Court may wish to consider recommending to guardian to have minor (Alexis) continue in counseling.**

RECOMMENDATION:
Court's discretion.

San Bernardino Superior Court
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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS03327

CASE NAME: MTTR OF GAGE ANTHONY REYNOLDS

HEARING:
Petition for Termination of Guardianship

COUNSEL:

CHARLENE SMITH (GP)...PRO/PER
GAGE ANTHONY REYNOLDS (MIN)...CARROLL M LAWSON
SANDRA JENSEN (MOT)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Petition for Termination of Guardianship, filed by Mother, minor 3

Mother alleges she has been "clean and sober for the last 21 months" and is living in a residential treatment center that reunites mothers & their children.

At an ex parte hearing on 12/6/04, the Court referred matter to the Court Investigator for investigation & report. Visitation to expand as it appears reasonable to the guardian.

Continued from 1/3/05 at request of CI. Still need CI report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need proof of personal service on guardian. Guardian was present at last hearing. Court could consider appearance a waiver of notice. JTD
2. Due diligence declaration filed as to PGF indicating that three family members were contacted who did not have an address but believed he may be in Texas. Other family members allege they have not heard from PGF in 4 years. JTD
3. Still need CI report.

RECOMMENDATION:

Need notice and CI report.

San Bernardino Superior Court
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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS03786

CASE NAME: MTTR OF MICHAEL STEVEN MONTIEL

HEARING:

Hearing re: NTC OF MOTION & MOTION TO BE RELIEVED AS COUNSEL

COUNSEL:

MARGARITA MONTIEL (GP)...JAMES ZHOU
CHARLES MONTIEL (GP)...JAMES ZHOU
MICHAEL STEVEN MONTIEL (MIN)...
TWANDA MILLER (MOT)...EARL CARTER & ASSOCIATES

GENERAL INFORMATION: This matter set for hearing on Motion to Be Relieved As Counsel filed by Attorney Barrie Robinson.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Counsel states the attorney/client relationship has broken down due to lack of communication.

RECOMMENDATION: None.

San Bernardino Superior Court
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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04078

CASE NAME: MTR RE DANIEL VAN HAVERMAAT III ET AL

HEARING:
Petition for Appointment of Guardian

COUNSEL:

DANIEL L VAN HAVERMAAT (GP)...LAWRENCE W NOVACK
LINDA M HAVERMAAT (GP)...RORY D IZSAK
DANIEL VAN HAVERMAAT III (MIN)...
KIRBY R VAN HAVERMAAT (MIN)...
TERRY LUPEAR (MIN)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, by PGM and spouse, minors 7 (2) and 2.

Last continued from 4-26-04. Mother ordered to not remove the children from this Court's jurisdiction.

Referral to CI for investigation and report.

Continued from 7-12-04. court ordered mother & paternal grandfather Daniel Van Havermaat to do drug test. If one fails to do it, considered a positive. Mother ordered to cooperate with CI and Attorney Garza.

Continued from 9-7-04. Parties ordered to cooperate with CI.

Continued last from 10-18-04. Parties working on stipulation. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. CI report received. Mother did not cooperate, so no home study on mother could be obtained. Investigator recommends that if the mother does appear in court to raise further objections, that the Court order her to cooperate and that the mother's current residential address and telephone number be included in the minute order (or otherwise be made available to the

Investigator) Supplement CI reports received. First supplement indicates that mother again did not cooperate. Second supplement indicates that petitioner grandfather Daniel Van Havermaat has failed to cooperate with the further investigation and it seems that he will refuse the drug test.

2. Third Supplemental CI report received. Continued frustration with both petitioner and mother as far as cooperation is concerned. CI makes a conditional recommendation for petitioner upon 3 conditions:
 - a. Petitioner tests negative for drugs (no report in file)
 - b. Mother tests positive for drugs (no report in file)
 - c. Approval by minor's counsel of guardianship being established. It appears that minor's counsel has been a bit more successful in obtaining the parties' cooperation.
3. No drug test results received – from either mother or grandfather.
4. CPS made investigation of scratches to minor's eye area and found no evidence to substantiate physical abuse by mother. CPS found that home is not optimal, but that minors would be severely traumatized by being taken from mother. Court should note that there is no indication that CPS found that mother's home is detrimental to minor.
5. Mother appears to have not been cooperating with minor's counsel, too.
6. Need proof of personal service on father, Daniel Van Haavermatt, Jr.
7. Need proof of personal service on father, Ellis Lupear.
8. Need proof of mailing notice of hearing on Patty Gonzales (PGM of two children, Daniel & Kirby); Lettie Van Havermaat (PGGM of Daniel & Kirby); Lema Paxton (PGM of Terry Lupear); Pearl McKenny-Spencer (MGM of all), or due diligence.

RECOMMENDATION:

Need new CI report. Court could dismiss petition due to grandfather's failure to take drug test and deem the result positive.

San Bernardino Superior Court
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HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04523

CASE NAME: MTR OF ARIANA NICHOLE RAMIREZ

HEARING:
Petition for Termination of Guardianship

COUNSEL:
JOSEFINA GARCIA (GP)...PRO/PER
JAIME GARCIA (GP)...PRO/PER
ARIANA NICHOLE RAMIREZ (MIN)...
BELIA RAMIREZ (MOT)...PRO/PER

GENERAL INFORMATION:
This case is set for hearing on Petition for Termination filed by mother, minor 11 months

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Mother alleges guardians did not inform her of proceedings. However, mother signed nomination, waiver & consent, as well as was given personal service as to temporary guardianship.
2. Mother further alleges that guardians are making it difficult for mother to spend time with minor
3. Need proof of personal service on guardians
4. Need to file proof of mailed service to CI and maternal grandparents.

RECOMMENDATION:
Need notice.

San Bernardino Superior Court

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HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04685

CASE NAME: MTR OF RAYLENE E & DANNY R MARQUEZ

HEARING:

Petition for Appointment of Guardian

COUNSEL:

LINDA COEUR (GP)...PRO/PER
STELLA MARQUEZ (GP)...PRO/PER
RAYLENE ELIZABETH MARQUEZ (MIN)...
DANNY RAY MARQUEZ JR (MIN)...DAVID H HEISLER

GENERAL INFORMATION: Continued from 11/8/04. Court is informed that the mother has remarried and is currently residing in Arizona. Court orders Attorney Heisler as counsel for minors. Court further referred matter to Court Investigator. The Court further ordered mother to enroll in a drug treatment program. Mother is ordered reasonable visitation with the minor as agreed to by the temporary guardians.

Petition #1 (Linda Coeur, Petitioner)

This case is set for hearing on Petition for Guardianship, person only, by maternal grandmother (Linda Coeur) for minor 10 (Raylene Marquez)

Petition #2 (Stella Marquez, Petitioner)

This case is set for hearing on Petition for Guardianship, person only by paternal grandmother (Stella Marquez) for minor 8 (Danny Marquez, Jr)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Temporary Letters issued 10/12/04. Petitioners will each take custody of one child (Linda Couer to take Raylene Marquez) and (Stella Marquez to take Danny Marquez, Jr.)
2. Father has signed waiver and consent.
3. Mother was present at last hearing
4. Need proof of mailed service on PGF or due diligence declaration.
5. Related matter below (page 29A) but filed under same case number.

RECOMMENDATION:

Need notice.

San Bernardino Superior Court
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HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04685

CASE NAME: MTR OF RAYLENE E & DANNY R MARQUEZ

HEARING:
Petition for Appointment of Guardian

COUNSEL:
LINDA COEUR (GP)...PRO/PER
STELLA MARQUEZ (GP)...PRO/PER
RAYLENE ELIZABETH MARQUEZ (MIN)...
DANNY RAY MARQUEZ JR (MIN)...DAVID H HEISLER

See prior notes in matter 16.

San Bernardino Superior Court
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HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04750

CASE NAME: MTTR OF KISHONA BISHOP ET AL

HEARING:
Petition for Termination of Guardianship

	COUNSEL:
SHIRLEY A BISHOP	(GP)...PRO/PER
KISHONA BISHOP	(MIN)...
JAYLON BISHOP	(MIN)...
ALVIN WILLIAMS	(MIN)...
CALVIN HOLLINS	(MIN)...
CALEEM HOLLINS	(MIN)...
LOLA BISHOP	(MOT)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Petition for Termination filed by mother, minors 14, 11, 10, 9 and 6 months

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Letters of Guardianship issued 12/20/04
2. Mother alleges she is now able to care for her children. Mother alleges she is attending Education First and it is helping mother to move into a home and provide help to the minors in planning their goals. Mother alleges drug issue has been resolved since 7/10/04.
3. Need proof of personal service on guardian, oldest minor, father (1), father (2), and father (4-5)
4. Need proof of mailed service per Order Prescribing Notice

RECOMMENDATION:
Need notice

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CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04751

CASE NAME: MTTR OF ERIC JAMES SMITH JR

HEARING:
Petition for Appointment of Guardian

COUNSEL:
MARIE C JOHNS (GP)...PRO/PER
ROBERT MCKOWN (GP)...PRO/PER
ERIC JAMES SMITH JR (MIN)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, person only, by maternal grandmother and her boyfriend, minor 8

Continued from 12/13/04 for DCS review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Father alleged deceased; mother alleged homeless
2. Mother has signed nomination, waiver & consent
3. DCS report filed recommending guardianship to petitioners Marie Johns and Robert McKown

RECOMMENDATION:
Court's discretion.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04766

CASE NAME: MTR OF SHONTIQUE BLANCHE ETAL

HEARING:
Petition for Appointment of Guardian

COUNSEL:

IRMA L HORSLEY	(GP)...PRO/PER
SHONTIQUE BLANCHE	(MIN)...
SEAN BLANCHE JR	(MIN)...
SHANTALEE BLANCHE	(MIN)...
JAVONTE THEUS	(MIN)...
DANEISHA HORSLEY	(MIN)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, person only, by maternal grandmother, minors 16, 14, 12, 6 & 2.

Continued from 1/10/05. Court informs petitioner proof of service on father must be filed within 15 days of the next hearing. Proof was filed 1/10/05.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Temporary letters issued on 12-16-04.
2. Mother died on 11-8-04.
3. Father Sean Blanche for the two oldest: Shontique & Sean, Jr. He allegedly lives in Colorado.
4. Father James Theus for the three youngest: Shantalee, Javonte & Daneisha and is incarcerated.
5. Need to file proof of personal service on oldest minors, Shontique, Sean and Shantalee. **Each minor has signed a consent and waiver.**

RECOMMENDATION:
Court's discretion.

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04779

CASE NAME: MTR OF HANNAH N NOTARANGELO ETAL

HEARING:

Petition for Appointment of Guardian

COUNSEL:

IRMA MALONE (GP)...PRO/PER
DONNY MALONE (GP)...PRO/PER
HANNAH N NOTARANGELO (MIN)...
KLERISSA A MALONE (MIN)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, person only, by maternal grandparents, minors 2 and 1

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Temporary letters issued 1/10/05 and Court referred matter to CI for investigation and report.
2. Mother (Crystal Malone) and Father (Nicolas Notarangelo) appeared on 1/10/05. Mother and father are ordered to file any written objections to the permanent guardianship by noon on 1/28/05 as well as serve their objections on the interested parties. **Written objections filed 1/28/05 by father & mother alleging father & mother are suitable parents to raise the minors. Objectors further allege petitioner is making false allegations about them to the police & CPS**
3. Proof of mailed service given to father (2) (Dedrich Val Sheih) in Nevada. Need return of certified mail receipt.
4. Need proof of mailed service to CI
5. Need CI report.
6. Court may wish to review Screening Forms. Also, item 10 is blank on the Screening Form as to Donny Malone relative to crimes associated with illegal substances or alcohol.

RECOMMENDATION:

Need notice and CI report.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04780

CASE NAME: MTR RE MEGAN NICKOLE MCGRAND

HEARING:
Petition for Appointment of Guardian

COUNSEL:
KEN ARNETT (GP)...PRO/PER
HELEN ARNETT (GP)...PRO/PER
MEGAN NICKOLE MCGRAND (MIN)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, person only, by non-relatives (family friends), minor 3 months

Petitioner alleges mother is homeless and also alleges drug abuse. Further, petitioner alleges minor was born with methamphetamine in her system and has some special needs.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Temporary letters issued 1/10/05
2. Father has signed nomination, waiver & consent.
3. Need proof of mailed service or due diligence declaration for MGM (Kathleen Anne Carmack)
4. Department of Children's Services' report is favorable.

RECOMMENDATION:

Need notice on maternal grandmother.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04783

CASE NAME: MTR OF ANTHONY R & JULIE R GONZALES

HEARING:
Petition for Appointment of Guardian

COUNSEL:
GLORIA ARRIOLA (GP)...PRO/PER
BERNARDO J ARRIOLA (GP)...PRO/PER
ANTHONY RUBEN GONZALES (MIN)...
JULIE RAYLEEN GONZALES (MIN)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, person only, by great maternal aunt & uncle, minors 2 and 8 months

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Temporary letters issued 1/11/05
2. Petitioner alleges both mother and father are under 18 years of age.
3. Need DCS report as petitioner is a too distant relative.

RECOMMENDATION:

Need DCS report.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04784

VACATED – CASE TRANSFERRED TO RIVERSIDE

CASE NAME: MTR OF RICHARD ISAIAH YOUNG

HEARING:
Petition for Appointment of Guardian

COUNSEL:
GLORIA JONES (GP)...PRO/PER
RICHARD ISAIAH YOUNG (MIN)...

No file to review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 9:01 DEPT: S5

CASE #: SG SS04790

CASE NAME: MTR RE DEA'VONTEE NA'ZZRE THOMPSON

HEARING:
Petition for Appointment of Guardian

COUNSEL:
LAVONDA SHERICH WILLIAMS (GP)...VALENSI ROSE MAGARAM MORRIS &
DEA'VONTEE NA'ZZRE THOMPSON (MIN)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, estate only, by mother, minor is 4

Petitioner alleges minor sustained severe brain damage during the birth process. As a result of a medical malpractice action a settlement of \$800,000 was placed in a blocked account at Union Bank of California. A life annuity will be paid in the sum of \$1,255 monthly increasing annually by 3% compounded for 5 years.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Father, MGM, PGM and PGF have all signed waivers & consents.
2. Need to file notice of hearing and proof of mailed service to Court Investigator and Inland Regional Center.
3. Petitioner alleges minor is a patient in Inland Regional Center
4. Petitioner requests bond to be fixed at \$16,000 and the amount of \$802,000 to be placed in a blocked account at Union Bank. Court will need to set review date for proof of blocked account.
5. Petitioner requests other orders be granted as follows:
 - (a) Authority to pay to Attorney Bruce Sires the sum of \$6,000 as anticipated attorney's fees associated with the legal services in connection with the first year of the guardianship including (1) implement the final life care plans for minor (2) obtain a residence conducive to providing the care and needs of the minor; (3) provide for access to blocked accounts, if

needed for minor's care and (4) all other legal and related matters which may arise in the 1st year of guardianship. Per PC 2640, compensation to attorneys can be petitioned for at any time after the filing of the inventory but not before the expiration of 90 days from the issuance of letters or other period of time as the court for good cause orders. The compensation may be paid to the attorney for services rendered to that date. There is no itemized time only an estimate of services to be performed. Question whether this is a premature request.

- (b) Authority to make periodic payments on account to counsel of \$500/month commencing 9/1/04 not to exceed 14 months.

RECOMMENDATION:

Need notice (note 2). If approved, set review date for proof of blocked account for 30 days. Set hearing on filing inventory & appraisal for 7/25/05. Set hearing on Accounting Review for 5/8/06. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

MISC.

DATE: 02/07/05 TIME: 11:00 DEPT: S5

CASE #: SG SS04555

CASE NAME: MATTER OF JARETT D GENTZ

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

CRYSTAL G ALVAREZ (GE)...PRO/PER
JARETT G ALVAREZ (MIN)...

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal
Letters issued 8/9/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No Inventory filed. Inventory is overdue since November, 2004.

RECOMMENDATION:

Set OSC re: failure to file inventory.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/07/05 TIME: 1:30 DEPT: S5

CASE #: VPRVS01510

CASE NAME: MTR OF H S OSBORNE TRUST

HEARING:
Mandatory Settlement Conference

COUNSEL:
H S OSBORNE (DEC)...
MELODIE Z SCOTT (TEE)...HARTNELL HORSPOOL & FOX
NANCY L GRUENEWALD (THOMAS W GILLEN)...THOMAS W

GENERAL INFORMATION:

This case is set for hearing on Mandatory Settlement Conference
Matter is currently set on calendar for 2/4/05

RECOMMENDATION:

None.